

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CENTRAL STATES, SOUTHEAST AND  
SOUTHWEST AREAS PENSION FUND  
and HOWARD McDOUGALL, trustee,

Plaintiffs,

**VS.**

GEORGE W. MYLER, JR. d/b/a  
MYLER TRUCKING, an Indiana  
resident,

Defendant.

Case No.: 08 CV 3087

Judge Kennelly

Magistrate Judge Brown

## NOTICE OF MOTION

TO: George W. Myler, Jr.  
d/b/a Myler Trucking  
8815 S. 750 W.  
Covington, IN 47932

PLEASE TAKE NOTICE that on Thursday, August 14, 2008, at the hour of 9:30 a.m., or as soon thereafter as counsel may be heard, the Plaintiffs' attorney will appear before the Honorable Matthew F. Kennelly, District Judge of the United States District Court for the Northern District of Illinois, located at 219 South Dearborn Street, Courtroom 2103, Chicago, Illinois, or such other Judge as may be in his stead, and present the attached Plaintiffs' Motion for Entry of Order of Default and Judgment by Default.

Respectfully submitted,

/s/ Cathy L. Rath  
Cathy L. Rath (ARDC # 06275744)  
Attorney for Plaintiffs  
Central States, Southeast and Southwest Areas  
Pension Fund  
9377 West Higgins Road  
Rosemont, Illinois 60018-4938  
847/518-9800, Ext. 2343

August 6, 2008

**CERTIFICATE OF SERVICE**

I, Cathy L. Rath, one of the attorneys for Plaintiffs Central States, Southeast and Southwest Areas Health and Welfare Fund, certify that on the 6<sup>th</sup> day of August, 2008, I caused the foregoing Plaintiffs' Motion for Entry of Order of Default and Judgment by Default to be filed electronically. This filing was served on all parties indicated on the electronic filing receipt via the Court's electronic filing system. For all other parties, who are listed below, I served the foregoing Notice of Motion and Motion by e-filing and mailing said documents to:

George W. Myler, Jr.  
d/b/a Myler Trucking  
8815 S. 750 W.  
Covington, IN 47932

Said documents were faxed and deposited in the United States Mail at 9377 West Higgins Road, Rosemont, Illinois, 60018-4938, with proper prepaid postage affixed thereto, this 6<sup>th</sup> day of August, 2008.

/s/ Cathy L. Rath  
Cathy L. Rath  
One of Central States' Attorneys